

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CURTIS MCLEOD,

Plaintiff,

v.

Case No. 13-12878

DAVID BENDER, et al.,

Defendants.

**ORDER RESOLVING MOTIONS TO DISMISS
AND GRANTING MOTION TO AMEND**

In response to three motions to dismiss, Plaintiff moves to amend the complaint. During an August 22, 2013, telephone conference, the parties agreed to the submission of an amended complaint naming each Defendant except Richmond Riggs. Accordingly,

IT IS ORDERED that two of the motions to dismiss [Dkts. ## 14, 18] are DENIED AS MOOT; that the third [Dkt. # 12] is DENIED AS MOOT IN PART and GRANTED IN PART, as to Defendant Riggs, against whom the action is DISMISSED; and that the motion to amend [Dkt. # 21] is GRANTED. Plaintiff may submit an amended complaint by **August 30, 2013**.

s/Robert H. Cleland

ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 28, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 28, 2013, by electronic and/or ordinary mail.

s/Holly Monda for Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522